

## REMARKS

By the present amendment, Claims 1-20 have been canceled, and Claim 21-40 have been newly added. Claims 21-41 remain pending in the present application. Claims 21 and 30 are independent claims.

Claims 1 and 20 are rejected under 35 U.S.C. § 101, as allegedly being directed to non-statutory subject matter. Claims 1-20 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mull (U.S. Patent Application Number US 2004/0039649) in view of Shade et al. (U.S. Patent No. 6,519,573). The cancellation of Claims 1-20 render these rejections moot.

Applicant has added new Claims 21-40 to more particularly define Applicant's claimed invention in view of the prior art of record. Applicant respectfully submits that the amendments to the claims are fully supported by the original disclosure, introduce no new matter therewith.

Newly added independent Claim 21 recites a recirculation method that includes the steps of receiving information regarding a good from a donor, the good being chattel property or other physical item; posting information regarding the good on the recirculation website; receiving a request from a recipient for the posted good; and facilitating transfer of the good from the donor to the recipient without any remuneration occurring between the donor and the recipient.

Newly added independent Claim 30 recites a recirculation system including a recirculation web server with a processor; a recirculation website associated with the recirculation web server, the recirculation website being a global repository of goods posted for recirculation, and for facilitating recirculation of goods between donors and recipients without any economic remuneration occurring between donors and recipients; recirculation software

carried on a computer readable medium; wherein said recirculation software, when executed by the processor, causes the software to carry out steps including receiving information regarding a good from a donor, the good being chattel property or other physical item; posting information regarding the good on the recirculation website; receiving a request from a recipient for the posted good; and facilitating transfer of the good from the donor to the recipient without any remuneration occurring between the donor and the recipient.

Mull describes systems and methods for charitable donating. Initially, Applicant respectfully submits Mull is not applicable as prior art against the present application because the effective filing date of Mull is May 10, 2001 and the present application claims priority to provisional application No. 60/244,190, filed October 31, 2000. Nevertheless, Mull describes one method of charitable donating sets up an account in the name of a donee, receives a donation directed to the account from a donor, and deposits the donation into the account. Then a charge against the account to cover a purchase made by the donee is received and the amount of the purchase is deducted from the account. In addition, account access can be provided to the donor so that the donor can track the purchase and other transactions involving the account. The donations in Mull are monetary donations, not goods. Mull nowhere teaches or reasonably suggests a recirculation method or system that carries out steps including receiving information regarding a good from a donor, the good being chattel property or other physical item; posting information regarding the good on the recirculation website; receiving a request from a recipient for the posted good; and facilitating transfer of the good from the donor to the recipient without any

remuneration occurring between the donor and the recipient, as associated newly added Claims 21-41 require.

Shade et al. describes a system and method for charitable giving. A host operates a central server, such as a web site, and potentially other support services, such as telephonic support. A gift giver visits the host web site and selects a donation amount and a gift recipient. The host then transmits the charitable gift. The gift recipient then visits the host web site, selects a charity from a list of available options, and the gift is sent to the selected charity by the host. The donations in Shade et al. are monetary donations, not goods. Shade et al. nowhere teaches or reasonably suggests a recirculation method or system that carries out steps including receiving information regarding a good from a donor, the good being chattel property or other physical item; posting information regarding the good on the recirculation website; receiving a request from a recipient for the posted good; and facilitating transfer of the good from the donor to the recipient without any remuneration occurring between the donor and the recipient, as associated newly added Claims 21-41 require.

It is well known that all of the claimed limitations must be taught or suggested by the prior art, and there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the reference teachings (see *In re Vaek*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Applicant respectfully submits that Mull, Shade et al., or any combination thereof, provides no motivation whatsoever to modify the teachings thereof to provide a recirculation

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method or system that carries out steps including receiving information regarding a good from a donor, the good being chattel property or other physical item; posting information regarding the good on the recirculation website; receiving a request from a recipient for the posted good; and facilitating transfer of the good from the donor to the recipient without any remuneration occurring between the donor and the recipient, as associated newly added Claims 21-41 require.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,



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